

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
NATIONAL CASUALTY CO.,

Plaintiff,

-against-

GATEWAY ACOUSTICS CORP.,

Defendants.  
-----X

AMON, Chief United States District Judge.

NOT FOR PUBLICATION  
**MEMORANDUM & ORDER**  
12-cv-5920 (CBA) (JO)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 31 2014 ★

**BROOKLYN OFFICE**

On March 6, 2014, the Honorable James Orenstein issued an Order and Report and Recommendation, ordering that 360 Brooklyn Investors, LLC and Newmark Construction Services, LLC, be joined as necessary parties pursuant to Rule 19(a)(1) of the Federal Rules of Civil Procedure, and recommending that the Court terminate as premature plaintiff National Casualty Company's motion for a default judgment without prejudice to renewal. The parties were given until March 24, 2014 to file objections to the R&R. No objections have been filed to date. Reviewing the R&R for clear error, the Court hereby adopts Magistrate Judge Orenstein's R&R as the opinion of the Court. The entry of default is vacated and plaintiff's motion for a default judgment is denied.

SO ORDERED.

Dated: March 31, 2014  
Brooklyn, N.Y.

 s/Carol Bagley Amon

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Carol Bagley Amon  
Chief United States District Judge